

# The Commonwealth of Massachusetts

Executive Office of Administration and Finance
Designer Selection Board

1 Ashburton Place 10th Floor Room 1004

1 Ashburton Place, 10<sup>th</sup> Floor, Room 1004 Boston, Massachusetts 02108

> TEL: (617) 727-4046 FAX: (617) 727-0112

# PUBLIC NOTICE #06-12 August 16, 2006

This Board will accept applications from architects, engineers, or other disciplines as noted, whichever is designated for the projects described in the attached Public Notice identified as List #06-12. Applicants are requested to submit a separate Designer Selection Board Application 2005 Form (15 COPIES) for each project for which they wish to be considered. PLEASE NOTE THAT THE NEW APPLICATION FORM ISSUED AS OF JANUARY 1, 2000 HAS BEEN REVISED. The new revised form is entitled DSB 2005 Application Form. An electronic copy of the new DSB 2005 Master File Brochure and the new DSB 2005. Application Form in Microsoft Word for Windows ® 97 is available from the Web site address http://www.state.ma.us/cam/DSB/fi dselectboard.html or can be e-mailed upon request to Thomas.Kinney@state.ma.us placing "DSB Forms" in the subject line. Please be sure to use the revised form. Application closing date for projects on List #06-12 is 2:00 p.m., WEDNESDAY, September 6, 2006. Copies advertisements may be found on the web by going to the DCAM web-site http://www.mass.gov/cam/DSB/index.html. Please send all correspondence to the Designer Selection Board, ONE ASHBURTON PLACE, ROOM 1004, BOSTON, MA 02108. Please utilize return receipt, registered, or certified mail if acknowledgment of delivery of application(s) is desired. \*Forms which may be reproduced can be picked up free of charge on regular work days between 8:45 a.m. – 4:30 p.m. at the above address. Bearer must prepare his own receipt for hand delivered data if a receipt is desired.

This Public Notice, including attachments, may be duplicated by any and all interested persons and is being furnished to the following societies for their information and disposition:

Please note the following: This Public Notice #06-12 includes: (a) the procedures for conforming to Executive Order #390 (Minority and Women Owned Business Participation)

ALL APPLICATIONS MUST BE SUBMITTED ON THE NEW DSB 2005 APPLICATION FORM (ENCLOSED HEREIN)
FAILURE TO DO SO WILL BE THE BASIS FOR REJECTION OF YOUR APPLICATION.

Gordon P. Sainsbury, AIA; RIBA EXECUTIVE DIRECTOR, DESIGNER SELECTION BOARD

# The Commonwealth of Massachusetts



Executive Office of Administration and Finance Designer Selection Board

1 Ashburton Place, 10<sup>th</sup> Floor, Room #1004 Boston, Massachusetts 02108

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## **PUBLIC NOTICE**

TO: Boston Herald Worcester Telegram

The Republican Berkshire Eagle

**New Bedford Standard Times** 

Brockton Enterprise Patriot Ledger Lowell Sun

**North Adams Transcript** 

Cape Cod Times Nashoba Publications

**Fitchburg Sentinel & Enterprise** 

One Herald Square, Legal Ads 20 Franklin Street, Legal Ads 1860 Main Street, Legal Ads

P.O. Box 1171 25 Elm Street

60 Main Street, Legal Ads 400 Crown Colony Drive, 15 Kearney Street, Legal Ads 124 American Legion Drive

P.O. Box 550, Legal Ads P.O. Box 362 808 Main Street Boston, 02106 Worcester, 01609 Springfield, 01101 Pittsfield, 01202-1171 New Bedford, 02742 Brockton, 02401 Quincy, 02269 Lowell, 01852 North Adams, 01247 Hyannis, MA 02601

Ayer, MA 01432 Fitchburg, MA 01420

FROM: Designer Selection Board

**DATE:** August 9, 2006

**SUBJECT:** Classified Legal Advertisement

On August 18, 2006, please insert one day only, the below approximate 2 column 2 inch classified legal advertisement of the Designer Selection Board. Submit proof of advertisement attached to your invoice. Please refer to P.O. #GAE DCP #4645.

C I D C I ATA DIDA

Gordon P. Sainsbury, AIA; RIBA EXECUTIVE DIRECTOR DESIGNER SELECTION BOARD

**PUBLIC NOTICE** 

**DESIGNER SELECTION BOARD** 

PUBLIC NOTICE

Engineers and architects are advised that DSB Project List #06-12, dated August 16, 2006 describing 02 Division of Capital Asset Management and Maintenance (DCAM) projects is now available. Copies of the found web by going **DCAM** advertisements may be on the to the http://www.mass.gov/cam/DSB/index.html. Please send all correspondence to the Designer Selection Board, ONE 02108. Application closing date is 2:00 p.m., ASHBURTON PLACE, ROOM 1004, BOSTON, MA WEDNESDAY, September 6, 2006.

PUBLIC NOTICE DESIGNER SELECTION BOARD PUBLIC NOTICE

# **APPLICANTS PLEASE NOTE:**

The following requirements were implemented on the following dates and continue to be requirements.

# **April 2006:**

Change of address. As of April 3, 2006, all future correspondence should be delivered to One Ashburton Place, 10<sup>th</sup> Floor, Room 1004, Boston, MA 02108.

## February 2006:

- Please be sure to use the latest forms when applying for State funded projects.
- It is the responsibility of the Prime applicant to ensure all of their sub-consultants also use the current application forms. Failure to do so will be grounds for the application to be rejected.

# **April 2005:**

- Please note New DSB 2005 Application Form.
- Applicants are now required to respond to Question #10 as noted on page 7 of the application form.
   It is a requirement that all applicants supply signed DSB SC-A's (SUB-CONSULTANT ACKNOWLEDGEMENT) for each listed sub-consultants stating that they are aware and agree to being nominated by said applicant. One Copy of which must have an original signature. This form is now the last page of the DSB Application 2005.
- Failure to supply above documents may result in rejection of application.
- Please note New DSB 2005 Master File Brochure
- New Section on the Web: Most Common Mistakes On Applications at (<a href="http://www.state.ma.us/cam/dsb/db">http://www.state.ma.us/cam/dsb/db</a> dsbcommon.html)

## October 2003:

• Please be advised that only those consultants listed in the advertisement should be nominated in the application by the Prime consultant. Any MBE/WBE requirement should be met within the requested consultant list. Utilizing consultants not requested in order to fulfil the MBE/WBE is unacceptable and will severely limit the Prime's chances of being appointed to the project.

## DSB 2000 MASTER FILE BROCHURE

In addition to the individual application form separately filed for each specific project, architects, engineers, planners, construction managers, and related construction industry consultants who wish to be considered for appointment as program consultants, designers, or construction managers on state projects under the jurisdiction of the Designer Selection Board must submit current (within one year of application) credentials in the form of a master brochure as specified on the new DSB Master File 2005 Brochure, (attached herein), or an existing Master File Brochure (if it was submitted within the past year). Applicants may supplement the required material with their printed brochure, including pictures and illustrations and any other information which the applicant deems essential to be representative of his or her capabilities. Please utilize return receipt if an acknowledgment is desired. All material shall become the property of the Commonwealth, may be disposed of without notification, and shall be considered public information.

Please note that copies of the new form are available from the DSB at DSB Headquarters, Room 1004, One Ashburton Place, Boston, MA 02108. Electronic copies of the forms are available through the Commonwealth's web site at <a href="http://www.state.ma.us/cam/dsb/fi\_dselectboard.html">http://www.state.ma.us/cam/dsb/fi\_dselectboard.html</a> and by email request to <a href="mailto:Thomas.Kinney@state.ma.us">Thomas.Kinney@state.ma.us</a>

## **CHAPTER 579**

In accordance with Chapter 579 of the Acts of 1980 all contracts for designer services for all capital facility projects entered into on or after January 1, 1982 shall conform to those provisions specified in this act. Some of the major changes mandated by this legislation include the following:

- 1. Lump sum design fees may be set by the Commissioner prior to DSB selections process, or negotiated after the DSB selection process. (See M.G.L. C.7, §38G). If designer's fee is negotiated, he must file a truth-in-negotiations certificate. (Revised to M.G.L. C.7, §38G per Chapter 189 of 1984).
- 2. There can be no change in consultants from those named on the DSB application unless approved by the Commissioner and reported to the DSB. The director may require a Consultant employed by the designer to obtain and maintain liability insurance.

## **Section 38G**

- (a) In the selection of a designer when the fee for design services has been set by the commissioner prior to the selection process, the commissioner shall appoint a designer from among the list transmitted to him or her under section thirty-eight F. If the commissioner appoints any designer other than the one ranked first by the board, he or she shall file a written justification of the appointment with the board.
- (b) When the fee for design services is to be negotiated, the commissioner shall review the list transmitted by the board, and may exclude any designer from the list if a written explanation of the exclusion is filed with the board. The commissioner shall then appoint a designer based on successful fee negotiation. The commissioner or persons designated by him or her shall first negotiate with the first ranked designer remaining on the list. Should the commissioner be unable to negotiate a satisfactory fee with the first ranked designer within thirty days, negotiations shall be terminated and negotiations undertaken with the remaining designers, one at a time, in the order in which they were ranked by the board, until an agreement is reached. In no event may a fee be negotiated which is higher than a maximum fee set by the commissioner prior to selection of finalists. Should the commissioner be unable to negotiate a satisfactory fee with any designer initially selected as a finalist by the board, the board shall recommend additional finalists in accordance with the provisions of this chapter. The commissioner may require a finalists with whom a fee is being negotiated to submit a fee proposal and include with it such information as the commissioner requires to provide current cost and pricing data on the basis of which the designer's fee proposal may be evaluated.
- (c) All fees shall be stated in designer's contracts and in any subsequent amendment thereto as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.

## ELIGIBILITY REQUIREMENTS FOR ALL APPLICANTS TO THE DSB

- 1. Submission of Master File Brochure Data or the DSB 2005 Master File Brochure in the format required, and at least annually, continuously update same. Note that the Master File Brochure currently on file with the DSB can be utilized in place of the new DSB 2005 Master File Brochure until such time as the current Master File Brochure is in need of renewal.
- 2. Updating of the DSB 2005 Master File Brochure when there are significant principal or key personnel changes in a firm.
- 3. Receipt of applications from designers who are full time employees of another firm shall disqualify the applicant.
- 4. Receipt of applications from designers, and his/her consultants, who do not maintain a continuous on-going business shall disqualify the applicant.
- 5. Simultaneous receipt of applications from individuals or group of individuals who are associates or who are involved in an association or corporation filing for the same project shall disqualify the applicants.
- 6. Applicants agree to execute the standard contract for Designer Services DCAM Form C-2 or the standard contract for Studies, Programs, Master Plans & Reports, DCAM Form C-3.
- 7. Chapter 7, Section 38H(e) (iv) requires that on public design contracts where the total design fee is expected to exceed \$10,000 or for the design of a project for which the estimated construction cost is expected to exceed \$100,000 the designer shall:
  - a) File its latest CPA or PA audited financial statement with the Division of Capital Asset Management and Maintenance (DCAM), and continue to do so annually throughout the term of the contract;
  - b) Submit a statement from a CPA or PA that states that they have examined management's internal auditing controls, and expresses their opinion regarding those controls.
- 8. Every application or statement filed pursuant to this section shall be sworn to under penalties of perjury. A designer, programmer or construction manager who has been determined by the Board to have filed materially false information under this section shall be disqualified by the Board from further consideration for any project for such time as the Board determines is appropriate. UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED BY THE BOARD.

# ADDITIONAL REQUIREMENTS FOR DESIGNERS PROVIDING PLANS & SPECIFICATIONS

(a) Certification that the applicants' legal entity, if applying to perform design services other than preparation of studies, surveys, soil testing, cost estimates, programs, or construction management is a designer as defined. The definition of a design professional as listed in M.G.L. C.7, §38A½ follows:

"Designer," an individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of architecture, landscape architecture, or engineering, which satisfies the following:

- (i) if an individual, the individual is a registered architect, landscape architect, or engineer; (registered in the Commonwealth of Mass.)
- (ii) if a partnership, a majority of all the partners are persons who are registered architects, landscape architects, or engineers; (registered in the Commonwealth of Mass.)
- (iii) if a corporation, sole proprietorship, joint stock company or other entity, the majority of directors or a majority of the stock ownership and the chief executive officer are persons who are registered architects, landscape architects or engineers, and the person to be in charge of the project is registered in the discipline required for the project.

[Note: This requires that the chief executive officer <u>and</u> a majority of the directors or a majority of the stock ownership be registered architects, landscape architects or engineers, and that the person to be in charge of the

# project be registered in the discipline required for the project. "Registered" means registered in the Commonwealth of Massachusetts.]

- (iv) if a joint venture, each joint venturer satisfies the requirements of this section.
- (b) As a condition of application, each applicant agrees to carry, if selected for the new project, (other than a master plan, study, program, or construction management) professional liability insurance in the amount equal to 10% of the estimated construction cost of the project, in conformance with the provisions of Article 18 of the standard design contract, i.e. minimum coverage of \$250,000 and maximum coverage of \$1,000,000.

## CRITERIA FOR SELECTION OF SEMI-FINALISTS AND FINALISTS

## IN CONFORMANCE WITH CHAPTER 7, SECTION 38F

- 1. Prior similar experience best illustrating current qualifications for this project.
- 2. Identity and qualifications of the key persons and consultants who will work on this project.
- 3. Depth of the firm with respect to size and complexity of the project.
- 4. Past performance on public and private projects.
  - a. Quality, clarity, completeness and accuracy of contract documents and design contract.
  - b. Effectiveness of meeting established program requirements and function within allotted budget.
  - c. Accuracy of cost estimates including assessment of contractors' requisitions for payment and change order proposals.
  - d. Management ability to meet schedules including submission of design and contract documents and processing of shop drawings, contractors' requisitions and change orders.
  - e. Coordination and management of consultants.
  - f. Working relationship with contractors, subcontractors, Division of Capital Asset Management and Maintenance (DCAM) staff and agency representatives.
- 5. Financial stability including prompt payment of consultant fees.
- 6. Current workload with DCAM and other public agencies.
- 7. Geographical location of the firm with respect to the proposed project.
- 8. Participation of MBEs and WBEs as prime consultants or subconsultants in a role consistent with the participation goals set forth for the project.
  - a. The Designer Selection Board adheres to Executive Order #390 as implemented by the Division of Capital Asset Management and Maintenance establishing goals for minority business enterprise (MBE) and women business enterprise (WBE) participation on all design contracts unless otherwise noted. (See attached pages 6-10)
  - b. The Minority Business Enterprise and Woman Business Enterprise participation goals established for each contract are set forth on the first page of the "Designer Selection Board Project Criteria" solicitation for that contract.

# PARTICIPATION BY MINORITY OWNED BUSINESSES AND WOMAN OWNED BUSINESSES

Pursuant to Executive Order 390, the Commissioner of the Division of Capital Asset Management and Maintenance (DCAM), as designee of the Secretary of Administration and Finance, has developed the following goals and procedures to encourage full participation by minority business enterprises (MBEs) and women businesses enterprises (WBEs) (collectively M/WBEs) on contracts for design services entered into by DCAM.

## **GOALS**

Subject to the terms of this memorandum, the following M/WBE participation goals shall apply to the total dollar value of all study and design contracts awarded for every DCAM project:

MBE participation goal: 8%

WBE participation goal: 4%

If the contracting design firm is an MBE or WBE, then M/WBE participation credit shall be given in an amount equal to the entire fee paid to the contracting firm. Please note: if the contracting design firm is itself an MBE or WBE, it will still need to obtain participation by another MBE or WBE to meet the goal that it cannot itself fulfill. If the contracting design firm is not itself an MBE or WBE, then M/WBE participation credit will be given for the value of any work under the contract that is actually performed by each MBE or WBE subcontractor or subconsultant (hereafter "subcontractors") to the Designer. MBE participation may not be substituted for WBE participation, nor may WBE participation be substituted for MBE participation.

## MODIFICATION OF M/WBE PARTICIPATION GOALS FOR PARTICULAR PROJECTS

DCAM reserves the right to reduce or waive the M/WBE participation goals stated above for a particular project prior to the receipt of applications to the Designer Selection Board upon its own initiative or upon the request of any applicant if DCAM determines that it is not feasible for a non-M/WBE design firm to meet the M/WBE goals established for the project based upon any or all of the following: (i) actual M/WBE availability, (ii) the geographic location of the project to the extent related to M/WBE availability, (iii) the contractual scope of work, (iv) the percentage of work available for subcontracting to M/WBEs, or (v) other relevant factors as determined by DCAM.

The M/WBE participation goals established for each project are set forth in the Designer Selection Board Project Criteria published for that project.

After a project is advertised, requests from prospective applicants to reduce or waive the M/WBE participation goals for that project, with all supporting documentation, must be submitted with the application, with a copy to DCAM's Compliance Office, One Ashburton Place, 15<sup>th</sup> Floor, Boston, MA 02108. Except as provided below, DCAM will not consider any request to reduce or waive the M/WBE participation goals for a project if the request is received after this deadline.

### DETERMINATION OF M/WBE STATUS

A minority owned business shall be considered an MBE only if it has been certified as a minority owned business by the State Office of Minority and Women Business Assistance ("SOMWBA"). A woman owned business shall be considered a WBE only if it has been certified as a woman owned business by SOMWBA.

Certification as a disadvantaged business enterprise ("DBE"), certification as an M/WBE by any agency other than SOMWBA, or submission of an application to SOMWBA for certification as an M/WBE shall not confer M/WBE status on a firm.

Minority owned businesses and woman owned businesses are strongly encouraged to submit applications for certification as M/WBEs to SOMWBA. Information is available from SOMWBA, Ten Park Plaza, Room 3740, Boston, MA 02116 (617) 973-8692, and on the Internet at <a href="http://www.state.ma.us/somwba">http://www.state.ma.us/somwba</a>.

## IDENTIFICATION OF M/WBE PARTICIPANTS BY THE SELECTED DESIGNER

The current SOMWBA Certification Letters showing that the MBE/WBE is certified in the area of work for which it is listed on the application must be submitted for each and every MBE and WBE firm listed on the application, and <u>must be submitted with the application</u>.

Not later than five (5) working days after the Designer receives notice of selection for the advertised project, (A-5 Letter), the Designer shall submit to DCAM's Compliance Office (i) a Letter of Intent for each of the M/WBEs that will perform work under the contract, and (ii) a Schedule of M/WBE Participation. The form of Letter of Intent and Schedule of M/WBE Participation are included in this application package.

Within five (5) working days after receipt of the Letters of Intent, DCAM's Compliance Office shall review and either approve or disapprove the Designer's submissions. Without limitation, DCAM reserves the right to reject the Letter of Intent of any M/WBE that is to perform work in a category that is not listed in its SOMWBA certification, or if the price to be paid for the M/WBE Work as stated in the Letter of Intent does not bear a reasonable relationship to the value of such work as reasonably determined by DCAM. If the Designer has not submitted an appropriate Schedule of M/WBE Participation and appropriate Letters of Intent and SOMWBA certification letters establishing that the M/WBE participation goal for the project will be met, the Designer may be considered ineligible for award of the contract and DCAM may award the contract to the second ranked Designer, subject to that Designer's compliance with these conditions.

DCAM reserves the right to reduce or waive the M/WBE participation goals for a project after selection of the designer and before execution of the contract, provided that no such reduction or waiver shall be granted except under the following circumstances: the selected Designer must establish and document that it has been unable to obtain commitments from M/WBE subcontractors sufficient to meet the M/WBE goals for the project after having made a diligent, good faith effort to do so; all such documentation must accompany the Designer's request to reduce or waive the M/WBE participation goal and shall include, at a minimum, the following:

- A list of all items of work under the contract that the Designer made available for subcontracting to W/MBEs. The Designer shall identify all items of work that the Designer did not make so available and shall state the reasons for not making such work available for subcontracting to W/MBEs. The Designer shall also demonstrate that, where commercially reasonable, subcontracts were divided into units capable of being performed by M/WBEs.
- Evidence that the Designer sent written notices soliciting proposals to perform the items of work made available by the Designer for subcontracting to W/MBEs to all W/MBEs qualified to perform such work. The Designer shall identify (i) each W/MBE solicited, and (ii) each W/MBE listed in the SOMWBA directory under the applicable trade category who was not solicited and the reasons therefor. The Designer shall also state the dates notices were mailed and provide a copy of the written notice(s) sent.

- Evidence that the Designer made reasonable efforts to follow up the written notices sent to M/WBEs with telephone calls or personal visits in order to determine with certainty whether the M/WBEs were interested in performing the work. Phone logs or other documentation must be submitted.
- A statement of the response received from each M/WBE solicited, including the reason for rejecting any M/WBE who submitted a proposal.
- Evidence of efforts made to assist M/WBEs that need assistance in obtaining bonding, insurance, or lines of credit with suppliers if the inability of M/WBEs to obtain bonding, insurance, or lines of credit is a reason given for the Designer's inability to meet the M/WBE goals.
- The Designer also shall submit any other information reasonably requested by DCAM to show that the Designer has taken all actions which could be reasonably expected to achieve the M/WBE participation goals.

The Designer may submit any other information supporting its request for a waiver or reduction in the M/WBE participation goals, such as evidence that the Designer placed advertisements in appropriate media and trade association publications announcing the Designer's interest in obtaining proposals from M/WBEs, and/or sent written notification to M/WBE economic development assistance agencies, trade groups and other organizations notifying them of the project and the work to be subcontracted by the Designer to M/WBEs.

Requests by a selected Designer to reduce or waive the M/WBE participation goals for a particular project based upon the Designer's inability to obtain commitments from M/WBE subcontractors sufficient to meet the M/WBE goals after having made a diligent, good faith effort to do so must be received by DCAM not later than five (5) business days after receipt by the Designer of the notice of selection (A-5 Letter).

The Designer's compliance with these procedures and goals is a prerequisite for award of the contract, provided that DCAM reserves the right to waive minor defects in documents and extend time limits in its sole discretion.

# SCHEDULE FOR PARTICIPATION

# BY MINORITY/WOMEN BUSINESS ENTERPRISES DIVISION OF CAPITAL ASSET MANAGEMENT

DCAM Project Number	Proj	ect Location		
Project Name				
This form must be submitted b	by the Designer within five (5		signer receives notice of selection (e submitted with this Schedule	A-
BIDDER CERTIFICATION:				
The undersigned Design firm agrees that amounts listed below. For purposes of SOMWBA as either a MBE, WBE or Mollows (attach additional sheets if necessary)	this commitment, the MBE a M/WBE. The Designer must	and WBE designation means	that a business has been certified b	у
Company Name & Address	MBE or WBE	Describe MBE/WBE Scopes of Work	Total Dollar Value of Participation	
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
MBE Goal: \$		Total Dollar Value of M	BE Commitment: \$	
WBE Goal: \$		Total Dollar Value of W	BE Commitment: \$	
The undersigned hereby certifies that he and is authorized to bind the Designer t			th regard to MBE/WBE participati	on
Name of Designer		Authorized Signature		
Business Address		Print Name		
		Title		
Telephone No F	'ax No	Date		

# LETTER OF INTENT

# MINORITY/WOMEN BUSINESS ENTERPRISES PARTICIPATION DIVISION OF CAPITAL ASSET MANAGEMENT

(To be completed by MBE/WBE, and submitted to the Compliance Office by the Designer within five (5) working days after the Designer receives notice of selection (A-5 Letter).

DCA	M Project Number	Indicate SOMWBA Certification:
Proje	ct Name	MBE
Proje	ct Location	WBE
Го		M/WBE
	Name of Designer	
1.	This firm intends to perform work in connection v	with the above project.
2.		perform the work identified below, and has not changed its minority/women ying SOMWBA within thirty (30) days of such a change. Attached is a copy ssued to my company.
3.	agreement with this firm to perform the activity d	ced above is awarded the contract, the Designer intends to enter into an escribed below for the prices indicated. This firm also understands that the ostitutions only as allowed by the Contract and applicable law.
4.	toward MBE/WBE participation goals, and this fi	Contract, only work <u>actually performed</u> by an MBE/WBE will be credited rm <u>cannot assign or subcontract out any of its work</u> without prior written nat any such assignment or subcontracting will not be credited toward
MBE	WBE PARTICIPATION	
	Describe MBE/WBE Scopes of Work	Dollar Value of Participation
_		
		Total Dollar Value: \$
Name	e of MBE/WBE Firm	Authorized Signature
Busir	ness Address	Print Name
		Title
Telep	phone No Fax No	

# THIS OFFICIAL FORM MAY NOT BE ALTERED POLICY ON EMPLOYMENT OF STUDY CONSULTANTS FOR SUBSEQUENT DESIGN PROJECTS

# Amended by the Designer Selection Board on December 15, 2000

- 1. The Commissioner may appoint a designer to perform continued or extended services if the following conditions are met:
  - (i) a written statement is filed with the Board explaining the reasons for the continuation or extension of services;
  - (ii) the program for the design services is filed with the Board if one is required by the regulations of the division; and
  - (iii) the Board approves the appointment of the designer for continued or extended services and states the reasons therefor.
- 2. When the Board has required that applicants list consultants which the applicants may employ, in no event shall a consultant be used who is debarred pursuant to Section forty-four C of Chapter one hundred and forty-nine as amended, and any change or addition to the consultants named in the application and allowed by the Board upon appointment must be approved by the Deputy Commissioner and reported to the Board, along with a written statement by the designer or construction manager of the reasons for the change.

# GENERAL INSTRUCTIONS FOR FILING APPLICATIONS

- 1. As of 04/05, the application forms required for submissions to the Designer Selection Board have been updated. The new forms are as follows: DSB Master File Brochure is replaced by the DSB Master File 2005 Brochure (included herein); DSB Application is replaced by the DSB 2005 Application Form (included herein). Please note that the Master File Brochure currently on file with the DSB can be utilized in place of the DSB Master File 2005 Brochure until such time as the current Master File Brochure is in need of renewal (yearly). All specific project applications must be submitted on the new DSB 2005 Application forms. Submissions that are on the old Form 2000 will not be accepted.
- 2. An electronic copy of the new DSB 2005 Master File Brochure and the new DSB 2005 Application Form in Microsoft Word for Windows ® 97 is available for download from the Web site address: <a href="http://www.state.ma.us/cam/dsb/fi\_dselectboard.html">http://www.state.ma.us/cam/dsb/fi\_dselectboard.html</a> or one can send an email with "DSB Forms" in the subject line to <a href="Thomas.Kinney@state.ma.us">Thomas.Kinney@state.ma.us</a>. Hard copies, or an electronic copy on disk may also be obtained by calling in person at the DSB Headquarters, Room 1004, 1 Ashburton Place, Boston, Ma 02108. Requesters must provide their own diskette and only Microsoft word for windows ® 97 are available. Forms will be mailed to all persons providing the DSB with their name and.
- 3. Applications should be limited to the application plus a maximum of **3 supplementary pages** (double sided) unless otherwise noted. Information in excess of three pages, unless otherwise noted in the Public Notice Advertisement, may be the basis of rejection. Computer generated forms are allowed provided they do not substantially deviate from the DSB format. **Submit 15 copies. Please duplicate forms double-sided, if possible, to minimize paper waste.**
- 4. No cover letters, binders and superfluous material. Please staple upper right.
- 5. DSB recommends that the principal who would be in charge of the project make sure that the form is complete including appropriate signature. Unsigned applications will not be considered.
- 6. When citing work performed by the applicant while employed by another firm, make certain said firm is properly identified including the individual's level of responsibility.
- 7. By including a firm as a sub-consultant the applicant certifies that the listed firm has been advised that it was being included in the applicants team and it has agreed to work on this Project should the team be selected. It is a requirement that all applicants supply a signed DSB SC-A's (Sub-Consultant Acknowledgement). There can be no change in consultants from those named unless approved by DCAM and reported to the Designer Selection Board (C.7, §38H(a)). It is a requirement that all applicants supply the signed document, attached to the application, by the listed sub-consultants stating that they are aware and agree to being nominated by said applicant. Failure to supply above documents may result in rejection of application.
- 8. DCAM contracts require that the Prime and Sub-Consultant personnel must be registered by the Commonwealth of Massachusetts in their respective disciplines and therefore, when applicable, the DSB looks for registration in the disciplines listed in order to satisfy DCAM contract requirements.
- 9. Eligibility requirements are set forth on page 5 of this Public Notice in item 8(a). Sub-paragraph (iii) of item 8(a) requires: 1) the majority of directors or a majority of the stock ownership to be persons who are Mass. registered architects, landscape architects or engineers; 2) the chief executive officer to be a person who is so registered; and 3) the person to be in charge of the project to be so registered in the discipline required for the project.
- 10. When the Prime applicant is to fulfil any of the requested consultant roles in the advertisement, then that role shall be defined in the organization chart as the applicant. It should also be referenced in Section 7 (resume) and Section 8 (experience) such that it proves the applicant is skilled in supplying these roles on the project.
- 11. Current SOMWBA Certification Letters showing that the MBE/WBE is certified in the area of work for which it is listed on the application must be submitted for each and every MBE and WBE firm listed on the application, and <u>must be submitted with the application.</u>
- 12. Applicants are advised to apply only for those projects for which they are demonstrably qualified, as it reflects negatively on the applicant's credibility if the firm applies for every job advertised when only marginally qualified.

- 13. The Board relies almost exclusively on the information submitted on the applications to arrive at a short list of semi-finalists. Therefore, do not include statements that refer to the Master File Brochure for additional information. The Master File Brochures are usually considered upon request of a DSB member when additional supplementary information is needed.
- 14. The Master File Brochure should be specifically prepared for the DSB with each response properly numbered. (Do not use Federal 254 and 255 forms) All information should be on 8 1/2" x 11" format, and properly bound as a single coherent document. Master File Brochures should be updated at least annually and any updates submitted after 04/15/05 must be submitted with the new DSB 2005 Master File Brochure.
- 15. Joint ventures are not encouraged. However, they may be advantageous for complex building types in which the participants have a combination of unique skills with a previous successful record of working together.
- 16. Current workload with DCAM, other public agencies and the private sector are taken into consideration, however, usually only after the DSB has narrowed down the original applicants to a short list of qualified semi-finalists. The Board fosters effective broad-based participation in public work within the design professions.

NOTE CMR 810 Publication/Instructions for Designers (Form 9) is available for a cost of \$19.25 + postage for mailing, at the Massachusetts Secretary of State Bookstore, Room 116, State House, Boston. Telephone number is 727-2834. Please note that Form 9 has been updated as of November, 1999.

## DSB 2005 MASTER FILE BROCHURE

In addition to the individual application form separately filed for each specific project, architects, engineers, planners, construction managers, and related construction industry consultants who wish to be considered for appointment as program consultants, designers, or construction managers on state projects under the jurisdiction of the Designer Selection Board must submit current (within one year of application) credentials in the form of a master brochure as specified on the new DSB 2005 Master File Brochure, (attached herein), or an existing Master File Brochure (if it was submitted within the past year). Applicants may supplement the required material with their printed brochure, including pictures and illustrations and any other information which the applicant deems essential to be representative of his or her capabilities. Please utilize return receipt if an acknowledgment is desired. All material shall become the property of the Commonwealth, may be disposed of without notification, and shall be considered public information.

Please note that copies of the new form are available from the DSB at DSB Headquarters, Room 1004, One Ashburton Place, Boston, MA 02108. Electronic copies of the forms are available through the Commonwealth's web site at <a href="http://www.state.ma.us/cam/forms/fi\_dselectboard.html">http://www.state.ma.us/cam/forms/fi\_dselectboard.html</a> and by email request to Thomas.Kinney@state.ma.us

## **CHAPTER 579**

In accordance with Chapter 579 of the Acts of 1980 all contracts for designer services for all capital facility projects entered into on or after January 1, 1982 shall conform to those provisions specified in this act. Some of the major changes mandated by this legislation include the following:

- 1. Lump sum design fees may be set by the Commissioner prior to DSB selections process, or negotiated after the DSB selection process. (See M.G.L. C.7, §38G). If designer's fee is negotiated, he must file a truth-in-negotiations certificate. (Revised to M.G.L. C.7, §38G per Chapter 189 of 1984).
- 2. There can be no change in consultants from those named on the DSB application unless approved by the Commissioner and reported to the DSB. The director may require a Consultant employed by the designer to obtain and maintain liability insurance.

## **Section 38G**

- (a) In the selection of a designer when the fee for design services has been set by the commissioner prior to the selection process, the commissioner shall appoint a designer from among the list transmitted to him or her under section thirty-eight F. If the commissioner appoints any designer other than the one ranked first by the board, he or she shall file a written justification of the appointment with the board.
- (b) When the fee for design services is to be negotiated, the commissioner shall review the list transmitted by the board, and may exclude any designer from the list if a written explanation of the exclusion is filed with the board. The commissioner shall then appoint a designer based on successful fee negotiation. The commissioner or persons designated by him or her shall first negotiate with the first ranked designer remaining on the list. Should the commissioner be unable to negotiate a satisfactory fee with the first ranked designer within thirty days, negotiations shall be terminated and negotiations undertaken with the remaining designers, one at a time, in the order in which they were ranked by the board, until an agreement is reached. In no event may a fee be negotiated which is higher than a maximum fee set by the commissioner prior to selection of finalists. Should the commissioner be unable to negotiate a satisfactory fee with any designer initially selected as a finalist by the board, the board shall recommend additional finalists in accordance with the provisions of this chapter. The commissioner may require a finalists with whom a fee is being negotiated to submit a fee proposal and include with it such information as the commissioner requires to provide current cost and pricing data on the basis of which the designer's fee proposal may be evaluated.
- (c) All fees shall be stated in designer's contracts and in any subsequent amendment thereto as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.

## ELIGIBILITY REQUIREMENTS FOR ALL APPLICANTS TO THE DSB

- 1. Submission of Master File Brochure Data or the DSB 2005 Master File Brochure in the format required, and at least annually, continuously update same. Note that the Master File Brochure currently on file with the DSB can be utilized in place of the new DSB 2005 Master File Brochure until such time as the current Master File Brochure is in need of renewal.
- 2. Updating of the DSB 2005 Master File Brochure when there are significant principal or key personnel changes in a firm.
- 3. Receipt of applications from designers who are full time employees of another firm shall disqualify the applicant.
- 4. Receipt of applications from designers, and his/her consultants, who do not maintain a continuous on-going business shall disqualify the applicant.
- 5. Simultaneous receipt of applications from individuals or group of individuals who are associates or who are involved in an association or corporation filing for the same project shall disqualify the applicants.
- 6. Applicants agree to execute the standard contract for Designer Services DCAM Form C-2 or the standard contract for Studies, Programs, Master Plans & Reports, DCAM Form C-3.
- 7. Chapter 7, Section 38H(e) (iv) requires that on public design contracts where the total design fee is expected to exceed \$10,000 or for the design of a project for which the estimated construction cost is expected to exceed \$100,000 the designer shall:
  - a) File its latest CPA or PA audited financial statement with the Division of Capital Asset Management and Maintenance (DCAM), and continue to do so annually throughout the term of the contract;
  - b) Submit a statement from a CPA or PA that states that they have examined management's internal auditing controls, and expresses their opinion regarding those controls.
- 8. Every application or statement filed pursuant to this section shall be sworn to under penalties of perjury. A designer, programmer or construction manager who has been determined by the Board to have filed materially false information under this section shall be disqualified by the Board from further consideration for any project for such time as the Board determines is appropriate. UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED BY THE BOARD.

# ADDITIONAL REQUIREMENTS FOR DESIGNERS PROVIDING PLANS & SPECIFICATIONS

(a) Certification that the applicants' legal entity, if applying to perform design services other than preparation of studies, surveys, soil testing, cost estimates, programs, or construction management is a designer as defined. The definition of a design professional as listed in M.G.L. C.7, §38A½ follows:

"Designer," an individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of architecture, landscape architecture, or engineering, which satisfies the following:

- (i) if an individual, the individual is a registered architect, landscape architect, or engineer; (registered in the Commonwealth of Mass.)
- (ii) if a partnership, a majority of all the partners are persons who are registered architects, landscape architects, or engineers; (registered in the Commonwealth of Mass.)
- (iii) if a corporation, sole proprietorship, joint stock company or other entity, the majority of directors or a majority of the stock ownership and the chief executive officer are persons who are registered architects, landscape architects or engineers, and the person to be in charge of the project is registered in the discipline required for the project.

[Note: This requires that the chief executive officer <u>and</u> a majority of the directors or a majority of the stock ownership be registered architects, landscape architects or engineers, and that the person to be in charge of the

# project be registered in the discipline required for the project. "Registered" means registered in the Commonwealth of Massachusetts.]

- (iv) if a joint venture, each joint venturer satisfies the requirements of this section.
- (b) As a condition of application, each applicant agrees to carry, if selected for the new project, (other than a master plan, study, program, or construction management) professional liability insurance in the amount equal to 10% of the estimated construction cost of the project, in conformance with the provisions of Article 18 of the standard design contract, i.e. minimum coverage of \$250,000 and maximum coverage of \$1,000,000.

## CRITERIA FOR SELECTION OF SEMI-FINALISTS AND FINALISTS

## IN CONFORMANCE WITH CHAPTER 7, SECTION 38F

- 1. Prior similar experience best illustrating current qualifications for this project.
- 2. Identity and qualifications of the key persons and consultants who will work on this project.
- 3. Depth of the firm with respect to size and complexity of the project.
- 4. Past performance on public and private projects.
  - a. Quality, clarity, completeness and accuracy of contract documents and design contract.
  - b. Effectiveness of meeting established program requirements and function within allotted budget.
  - c. Accuracy of cost estimates including assessment of contractors' requisitions for payment and change order proposals.
  - d. Management ability to meet schedules including submission of design and contract documents and processing of shop drawings, contractors' requisitions and change orders.
  - e. Coordination and management of consultants.
  - f. Working relationship with contractors, subcontractors, Division of Capital Asset Management and Maintenance (DCAM) staff and agency representatives.
- 5. Financial stability including prompt payment of consultant fees.
- 6. Current workload with DCAM and other public agencies.
- 7. Geographical location of the firm with respect to the proposed project.
- 8. Participation of MBEs and WBEs as prime consultants or subconsultants in a role consistent with the participation goals set forth for the project.
  - a. The Designer Selection Board adheres to Executive Order #390 as implemented by the Division of Capital Asset Management and Maintenance establishing goals for minority business enterprise (MBE) and women business enterprise (WBE) participation on all design contracts unless otherwise noted. (See attached pages 6-10)
  - b. The Minority Business Enterprise and Woman Business Enterprise participation goals established for each contract are set forth on the first page of the "Designer Selection Board Project Criteria" solicitation for that contract.

# PARTICIPATION BY MINORITY OWNED BUSINESSES AND WOMAN OWNED BUSINESSES

Pursuant to Executive Order 390, the Commissioner of the Division of Capital Asset Management and Maintenance (DCAM), as designee of the Secretary of Administration and Finance, has developed the following goals and procedures to encourage full participation by minority business enterprises (MBEs) and women businesses enterprises (WBEs) (collectively M/WBEs) on contracts for design services entered into by DCAM.

## **GOALS**

Subject to the terms of this memorandum, the following M/WBE participation goals shall apply to the total dollar value of all study and design contracts awarded for every DCAM project:

MBE participation goal: 8%

WBE participation goal: 4%

If the contracting design firm is an MBE or WBE, then M/WBE participation credit shall be given in an amount equal to the entire fee paid to the contracting firm. Please note: if the contracting design firm is itself an MBE or WBE, it will still need to obtain participation by another MBE or WBE to meet the goal that it cannot itself fulfill. If the contracting design firm is not itself an MBE or WBE, then M/WBE participation credit will be given for the value of any work under the contract that is actually performed by each MBE or WBE subcontractor or subconsultant (hereafter "subcontractors") to the Designer. MBE participation may not be substituted for WBE participation, nor may WBE participation be substituted for MBE participation.

## MODIFICATION OF M/WBE PARTICIPATION GOALS FOR PARTICULAR PROJECTS

DCAM reserves the right to reduce or waive the M/WBE participation goals stated above for a particular project prior to the receipt of applications to the Designer Selection Board upon its own initiative or upon the request of any applicant if DCAM determines that it is not feasible for a non-M/WBE design firm to meet the M/WBE goals established for the project based upon any or all of the following: (i) actual M/WBE availability, (ii) the geographic location of the project to the extent related to M/WBE availability, (iii) the contractual scope of work, (iv) the percentage of work available for subcontracting to M/WBEs, or (v) other relevant factors as determined by DCAM.

The M/WBE participation goals established for each project are set forth in the Designer Selection Board Project Criteria published for that project.

After a project is advertised, requests from prospective applicants to reduce or waive the M/WBE participation goals for that project, with all supporting documentation, must be submitted with the application, with a copy to DCAM's Compliance Office, One Ashburton Place, 15<sup>th</sup> Floor, Boston, MA 02108. Except as provided below, DCAM will not consider any request to reduce or waive the M/WBE participation goals for a project if the request is received after this deadline.

### DETERMINATION OF M/WBE STATUS

A minority owned business shall be considered an MBE only if it has been certified as a minority owned business by the State Office of Minority and Women Business Assistance ("SOMWBA"). A woman owned business shall be considered a WBE only if it has been certified as a woman owned business by SOMWBA.

Certification as a disadvantaged business enterprise ("DBE"), certification as an M/WBE by any agency other than SOMWBA, or submission of an application to SOMWBA for certification as an M/WBE shall not confer M/WBE status on a firm.

Minority owned businesses and woman owned businesses are strongly encouraged to submit applications for certification as M/WBEs to SOMWBA. Information is available from SOMWBA, Ten Park Plaza, Room 3740, Boston, MA 02116 (617) 973-8692, and on the Internet at <a href="http://www.state.ma.us/somwba">http://www.state.ma.us/somwba</a>.

## IDENTIFICATION OF M/WBE PARTICIPANTS BY THE SELECTED DESIGNER

The current SOMWBA Certification Letters showing that the MBE/WBE is certified in the area of work for which it is listed on the application must be submitted for each and every MBE and WBE firm listed on the application, and <u>must be submitted with the application</u>.

Not later than five (5) working days after the Designer receives notice of selection for the advertised project, (A-5 Letter), the Designer shall submit to DCAM's Compliance Office (i) a Letter of Intent for each of the M/WBEs that will perform work under the contract, and (ii) a Schedule of M/WBE Participation. The form of Letter of Intent and Schedule of M/WBE Participation are included in this application package.

Within five (5) working days after receipt of the Letters of Intent, DCAM's Compliance Office shall review and either approve or disapprove the Designer's submissions. Without limitation, DCAM reserves the right to reject the Letter of Intent of any M/WBE that is to perform work in a category that is not listed in its SOMWBA certification, or if the price to be paid for the M/WBE Work as stated in the Letter of Intent does not bear a reasonable relationship to the value of such work as reasonably determined by DCAM. If the Designer has not submitted an appropriate Schedule of M/WBE Participation and appropriate Letters of Intent and SOMWBA certification letters establishing that the M/WBE participation goal for the project will be met, the Designer may be considered ineligible for award of the contract and DCAM may award the contract to the second ranked Designer, subject to that Designer's compliance with these conditions.

DCAM reserves the right to reduce or waive the M/WBE participation goals for a project after selection of the designer and before execution of the contract, provided that no such reduction or waiver shall be granted except under the following circumstances: the selected Designer must establish and document that it has been unable to obtain commitments from M/WBE subcontractors sufficient to meet the M/WBE goals for the project after having made a diligent, good faith effort to do so; all such documentation must accompany the Designer's request to reduce or waive the M/WBE participation goal and shall include, at a minimum, the following:

- A list of all items of work under the contract that the Designer made available for subcontracting to W/MBEs. The Designer shall identify all items of work that the Designer did not make so available and shall state the reasons for not making such work available for subcontracting to W/MBEs. The Designer shall also demonstrate that, where commercially reasonable, subcontracts were divided into units capable of being performed by M/WBEs.
- Evidence that the Designer sent written notices soliciting proposals to perform the items of work made available by the Designer for subcontracting to W/MBEs to all W/MBEs qualified to perform such work. The Designer shall identify (i) each W/MBE solicited, and (ii) each W/MBE listed in the SOMWBA directory under the applicable trade category who was not solicited and the reasons therefor. The Designer shall also state the dates notices were mailed and provide a copy of the written notice(s) sent.

- Evidence that the Designer made reasonable efforts to follow up the written notices sent to M/WBEs with telephone calls or personal visits in order to determine with certainty whether the M/WBEs were interested in performing the work. Phone logs or other documentation must be submitted.
- A statement of the response received from each M/WBE solicited, including the reason for rejecting any M/WBE who submitted a proposal.
- Evidence of efforts made to assist M/WBEs that need assistance in obtaining bonding, insurance, or lines of credit with suppliers if the inability of M/WBEs to obtain bonding, insurance, or lines of credit is a reason given for the Designer's inability to meet the M/WBE goals.
- The Designer also shall submit any other information reasonably requested by DCAM to show that the Designer has taken all actions which could be reasonably expected to achieve the M/WBE participation goals.

The Designer may submit any other information supporting its request for a waiver or reduction in the M/WBE participation goals, such as evidence that the Designer placed advertisements in appropriate media and trade association publications announcing the Designer's interest in obtaining proposals from M/WBEs, and/or sent written notification to M/WBE economic development assistance agencies, trade groups and other organizations notifying them of the project and the work to be subcontracted by the Designer to M/WBEs.

Requests by a selected Designer to reduce or waive the M/WBE participation goals for a particular project based upon the Designer's inability to obtain commitments from M/WBE subcontractors sufficient to meet the M/WBE goals after having made a diligent, good faith effort to do so must be received by DCAM not later than five (5) business days after receipt by the Designer of the notice of selection (A-5 Letter).

The Designer's compliance with these procedures and goals is a prerequisite for award of the contract, provided that DCAM reserves the right to waive minor defects in documents and extend time limits in its sole discretion.

# SCHEDULE FOR PARTICIPATION

# BY MINORITY/WOMEN BUSINESS ENTERPRISES DIVISION OF CAPITAL ASSET MANAGEMENT

DCAM Project Number		Proj	ect Location		
Project Name					
	ubmitted by the Designer with of Intent and SOMWBA certification.				
BIDDER CERTIFICATION:	<u>:</u>				
The undersigned Design firm amounts listed below. For pu SOMWBA as either a MBE, follows (attach additional she	urposes of this commitment, t WBE or M/WBE. The Design	he MBE a	and WBE designation means	that a business has been c	ertified by
Company Name & Address		BE or BE	Describe MBE/WBE Scopes of Work	Total Dollar Value of Participation	
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
MBE Goal: \$			Total Dollar Value of M	BE Commitment: \$	
WBE Goal: \$			Total Dollar Value of W	BE Commitment: \$	
The undersigned hereby certiful and is authorized to bind the I				h regard to MBE/WBE p	articipation
Name of Designer			Authorized Signature		
Business Address			Print Name		
			Title		
Telephone No.	Fax No.		Date		

# LETTER OF INTENT

# MINORITY/WOMEN BUSINESS ENTERPRISES PARTICIPATION DIVISION OF CAPITAL ASSET MANAGEMENT

(To be completed by MBE/WBE, and submitted to the Compliance Office by the Designer within five (5) working days after the Designer receives notice of selection (A-5 Letter).

DCA	M Project Number	Indicate SOMWBA Certification:
Proje	ct Name	MBE
Proje	ct Location	WBE
Го		M/WBE
	Name of Designer	
1.	This firm intends to perform work in connection v	with the above project.
2.		perform the work identified below, and has not changed its minority/women ying SOMWBA within thirty (30) days of such a change. Attached is a copy ssued to my company.
3.	agreement with this firm to perform the activity d	ced above is awarded the contract, the Designer intends to enter into an escribed below for the prices indicated. This firm also understands that the ostitutions only as allowed by the Contract and applicable law.
4.	toward MBE/WBE participation goals, and this fi	Contract, only work <u>actually performed</u> by an MBE/WBE will be credited rm <u>cannot assign or subcontract out any of its work</u> without prior written nat any such assignment or subcontracting will not be credited toward
MBE	WBE PARTICIPATION	
	Describe MBE/WBE Scopes of Work	Dollar Value of Participation
_		
		Total Dollar Value: \$
Name	e of MBE/WBE Firm	Authorized Signature
Busir	ness Address	Print Name
		Title
Telep	phone No Fax No	

# THIS OFFICIAL FORM MAY NOT BE ALTERED POLICY ON EMPLOYMENT OF STUDY CONSULTANTS FOR SUBSEQUENT DESIGN PROJECTS

## Amended by the Designer Selection Board on December 15, 2000

- 1. The Commissioner may appoint a designer to perform continued or extended services if the following conditions are met:
  - (i) a written statement is filed with the Board explaining the reasons for the continuation or extension of services;
  - (ii) the program for the design services is filed with the Board if one is required by the regulations of the division; and
  - (iii) the Board approves the appointment of the designer for continued or extended services and states the reasons therefor.
- 2. When the Board has required that applicants list consultants which the applicants may employ, in no event shall a consultant be used who is debarred pursuant to Section forty-four C of Chapter one hundred and forty-nine as amended, and any change or addition to the consultants named in the application and allowed by the Board upon appointment must be approved by the Deputy Commissioner and reported to the Board, along with a written statement by the designer or construction manager of the reasons for the change.

## GENERAL INSTRUCTIONS FOR FILING APPLICATIONS

- As of 04/05, the application forms required for submissions to the Designer Selection Board have been updated. The new forms are as follows: DSB Master File Brochure is replaced by the DSB 2005 Master File Brochure (included herein); DSB Application is replaced by the DSB 2005 Application Form (included herein). Please note that the Master File Brochure currently on file with the DSB can be utilized in place of the DSB 2005 Master File Brochure until such time as the current Master File Brochure is in need of renewal (yearly). All specific project applications must be submitted on the new DSB 2005 Application forms. Submissions that are on the old Form 2000 will not be accepted.
- 2. An electronic copy of the new DSB 2005 Master File Brochure and the new DSB 2005 Application Form in Microsoft Word for Windows ® 97 is available for download from the Web site address: <a href="http://www.state.ma.us/cam/forms/fi">http://www.state.ma.us/cam/forms/fi</a> dselectboard.html or one can send an email with "DSB Forms" in the subject line to <a href="https://www.state.ma.us">Thomas.Kinney@state.ma.us</a>. Hard copies, or an electronic copy on disk may also be obtained by calling in person at the DSB Headquarters, Room 1004, 1 Ashburton Place, Boston, Ma 02108. Requesters must provide their own diskette and only Microsoft word for windows ® 97 are available. Forms will be mailed to all persons providing the DSB with their name and.
- 3. Applications should be limited to the application plus a maximum of **3 supplementary pages** (double sided) unless otherwise noted. Information in excess of three pages, unless otherwise noted in the Public Notice Advertisement, may be the basis of rejection. Computer generated forms are allowed provided they do not substantially deviate from the DSB format. **Submit 15 copies. Please duplicate forms double-sided, if possible, to minimize paper waste.**
- 4. No cover letters, binders and superfluous material. Please staple upper right.
- 5. DSB recommends that the principal who would be in charge of the project make sure that the form is complete including appropriate signature. Unsigned applications will not be considered.
- 6. When citing work performed by the applicant while employed by another firm, make certain said firm is properly identified including the individual's level of responsibility.
- 7. By including a firm as a sub-consultant the applicant certifies that the listed firm has been advised that it was being included in the applicants team and it has agreed to work on this Project should the team be selected. It is a requirement that all applicants supply a signed DSB SC-A's (Sub-Consultant Acknowledgement). There can be no change in consultants from those named unless approved by DCAM and reported to the Designer Selection Board (C.7, §38H(a)). It is a requirement that all applicants supply the signed document, attached to the application, by the listed sub-consultants stating that they are aware and agree to being nominated by said applicant. Failure to supply above documents may result in rejection of application.
- 8. DCAM contracts require that the Prime and Sub-Consultant personnel must be registered by the Commonwealth of Massachusetts in their respective disciplines and therefore, when applicable, the DSB looks for registration in the disciplines listed in order to satisfy DCAM contract requirements.
- 9. Eligibility requirements are set forth on page 5 of this Public Notice in item 8(a). Sub-paragraph (iii) of item 8(a) requires: 1) the majority of directors or a majority of the stock ownership to be persons who are Mass. registered architects, landscape architects or engineers; 2) the chief executive officer to be a person who is so registered; and 3) the person to be in charge of the project to be so registered in the discipline required for the project.
- 10. When the Prime applicant is to fulfil any of the requested consultant roles in the advertisement, then that role shall be defined in the organization chart as the applicant. It should also be referenced in Section 7 (resume) and Section 8 (experience) such that it proves the applicant is skilled in supplying these roles on the project.
- 11. Current SOMWBA Certification Letters showing that the MBE/WBE is certified in the area of work for which it is listed on the application must be submitted for each and every MBE and WBE firm listed on the application, and must be submitted with the application.
- 12. Applicants are advised to apply only for those projects for which they are demonstrably qualified, as it reflects negatively on the applicant's credibility if the firm applies for every job advertised when only marginally qualified.
- 13. Applications should be mailed to the Designer Selection Board, One Ashburton Place, Room 1004, Boston, MA 02109.

- 14. The Board relies almost exclusively on the information submitted on the applications to arrive at a short list of semi-finalists. Therefore, do not include statements that refer to the Master File Brochure for additional information. The Master File Brochures are usually considered upon request of a DSB member when additional supplementary information is needed.
- 15. The Master File Brochure should be specifically prepared for the DSB with each response properly numbered. (Do not use Federal 254 and 255 forms) All information should be on 8 1/2" x 11" format, and properly bound as a single coherent document. Master File Brochures should be updated at least annually and any updates submitted after 04/15/05 must be submitted with the new DSB 2005 Master File Brochure.
- 16. Joint ventures are not encouraged. However, they may be advantageous for complex building types in which the participants have a combination of unique skills with a previous successful record of working together.
- 17. Current workload with DCAM, other public agencies and the private sector are taken into consideration, however, usually only after the DSB has narrowed down the original applicants to a short list of qualified semi-finalists. The Board fosters effective broad-based participation in public work within the design professions.

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Ма	mmonwealth of ussachusetts	1. Firm Name (or if	not an entity, individual's n	ame), and Business Add	dress		Present Firm Estab	'	
	SB 2005					<ol><li>Speci</li></ol>	fy type of ownersh	ip and check 1, 2 or 3 below	, if applicable.
	aster File								
Bı	rochure	Telephone No.:				<b>(</b> 1)	SOMWBA Cert	fied minority business enter	orise (MBE)
		1a. Submittal is for	Parent Company	Branch or Subs	sidiary Office	<b>(</b> 2)	SOMWBA Cert	fied woman business enterp	rise (WBE)
		1b. Mass Vendor ID				<b>(</b> 3)		fied minority woman busines	ss enterprise (M/WBE)
5.	Name of Parent compa	any, if any:	5a. Form	er Company Name(s), if	any, and Year(	s) Established	ł:		
6.	Name of Sole Propriet	or or Names of <b>All</b> Firm	Partners and Officers						
	Name	Title	MA.Reg. #	Status/Discipline	Name		Title	MA.Reg. #	Status/Discipline
a.					d.				
b.					e.				
C.					f.				
7.	If Corporation, or Othe	r Entity Other than a Pa	artnership, provide Names (	of <b>ALL</b> Members of the	Board of Directo	ors:			
	Name	Title	MA.Reg. #	Status/Discipline	Name		Title	MA.Reg. #	Status/Discipline
a.					d.				
b.					e.				
C.					f.				
8.	Names of All Owners	(Stocks or Other Owne	ership):						
	Name	Title	Ownership MA Reg.	Status/Discipline	Name		Title	Ownership MA Reg. #	Status/Discipline
a.			,		d.				
b.					e.				
C.					f.				
9.			nly once, by primary function per holding Massachusetts's		nployed through	out the prece	ding 6 month perio	od. Indicate both the total nu	mbers in each
Adn	nin. Personnel	( )	Ecologists	( )	Licensed Site	Profs	(	) Other	( )
	hitects		Electrical Engineers		Mechanical E	-		)	
	ustical Engrs.	()	Environmental Engrs.	()	Planners: Urb		(	)	()
	le Specialists	()	Fire Protection Engrs	()	Specification		(	)	()
	l Engrs.		Geotech. Engrs.		Structural Eng	gineers	(	)	
	nstruction Inspectors st Estimators		Industrial Hygienist Interior Designers		Surveyors	-		)	
	fters		Landscape Architects	— <u>`</u> ( — )		-	· · ·	) Total	
			,			-			

		Receive	a.			Lixany	es of Professional	Sel vice	s rees	
	ert Index number)		Last 5 Years (most recent year	r first)		IND				
(	,		2005 2004 2003	,	2002 2001	1	Less than \$100,	nnn	5.	\$1 million to \$2 million
Federal Wo	ork		2003 2004 2003		2002 2001	2.	\$100,000 to \$25		6.	\$2 million to \$5 million
	ealth of Massachusetts work					3.	\$250,000 to \$50		7.	\$5 million to \$10 million
All other do	omestic and foreign work					4.	\$500,000 to \$1 r	nillion	8.	\$10 million or greater
Experien	nce Profile Code Numbers for use w	ith quest	ions 11, 12 and 13							
	oustics, Noise Abatement	037	Fisheries; Fish Ladders	065	Microclimatology; Tropic	al Engine	eering	100	Special Envi	ronments; Clean Rooms, Etc.
	rial Photogrammetry	038	Forestry & Forest Products	066	Military Design Standard	ds		101		esign; Special Structures
	ricultural Development; Grain Storage;	039	Garages; Vehicle Maintenance Facilities;	067	Mining and Mineralogy			102		latting; Mapping; Flood Plain
	m Mechanization		Parking Decks	068	Missile Facilities (Silos;				Studies	
	Pollution Control	040	Gas Systems (Propane; Natural, Etc.)	069	Modular Systems Desig	n; Pre-fal	bricated	103	Swimming P	
	ports; Navaids; Airport Lighting;	041	Graphic Design					104		Handling & Facilities
	craft Fueling	042	Harbors; Jetties, Piers, Ship Terminal Facilities	070	Naval Architecture; Off-			105		Systems (Rural; Mobile
	ports; Terminals & Hangars; Freight		Structures or Components	071	Nuclear Facilities; Nucle	ar Shield	ling	40.	Intercom, ; E	
	ndling	043	Heating, Ventilating, Air Conditioning	072	Office Buildings; Industr	ial Parks		106	Testing & Ins	spection Services
	tic Facilities	044	Health Systems Planning	073	Oceanographic Enginee			107		nsportation Engineering
	ditoriums & Theaters	045	Highrise; Air-Rights-Type Buildings	074	Ordnance; Munitions; S		eapons	108		-Supporiting & Guyed Systems)
	tomation; Controls; Instrumentation	046	Highways; Streets; Airfield Paving; Parking Lots	075	Petroleum Exploration; I		d Distribution)	109	Tunnels & S	
	rracks; Dormitories	047	Historical Preservation	076	petroleum and Fuel (Sto			110		wals; Community Development
	dges	048	Hospital and Medical Facilities	077	Pipelines (Cross-Counti		1 & Gas)	111	Utilities (Gas	
	meteries	048A	Medical Facilities - Mental Health	078	Planning (Community, F	regionai	Dundand)	112		sis; Life-Cycle Costing
	emical Processing & Storage	048B	Medical Facilities - Acute Care	079	Planning (Site, Installati		Project)	113	Water Dece	исеs; Hydrology; Ground Water
	urches; Chapels	048C	Medical Facilities - Ambulatory Care, Clinics Hotels. Motels	080	Plumbing and Piping De		rt Duildings	114		
	des; Standards; Ordinances	049 050		081 082	Pneumatic Structures, A Postal Facilities	ııı-Suppo	it Bullulrigs	115 116	Wind Tunnel	y; Treatment and Distribution s; Research/Testing Facilities
	ld Storage; Refrigeration; Fast Freeze mmercial Building <i>(low rise);</i> Shopping	030	Housing (Residential, Multi-Family; Apartments; Condominiums)	083	Power Generation, Tran	cmiccion	Dietribution	110	Design	s, Research resumy Facilities
	nters	050A	Housing - Residential Mental Health	084	Prisons & Correctional F		, DISHIDUHUH	117		d Use Studies
	mmunication Systems; TV; Microwave	050A 050B	Housing - Residential Mental Ret. /Group Home	084 <i>P</i>			Socurity	201	Zoning, Land	1 Ose Studies
	mputer Facilities; Computer Service	050C	Housing - Resid. Wellar Ret. /Group Home	084E						
		050C	Housing - Elderly Housing - Assisted Living	0840						
	nservation and Resource Management nstruction Management	050D 051	Hydraulics and Pneumatics	0840				203		
	•							204		
	rrosion Control; Cathodic Protection;	052	Industrial Buildings; Manufacturing Plants	084E	Public Safety Facilities -			205		
	ectrolysis	053	Industrial Processes; Quality Control	084F	Public Safety Facilities -					
	st Estimating	054	Industrial Waste Treatment	085	Product, Machine & Equ					
	ms (Concrete; Arch)	055	Interior Design; Space Planning	086	Radar; Sonar; Radio & I					
	ms <i>(Earth; Rock);</i> Dikes; Levees salination <i>(Process &amp; Facilities)</i>	055A	Facilities Management	088 088 <i>A</i>	Recreation Facilities ( P Recreation Facilities - Id		ıııas, Ell.)			
	ing Halls; Clubs; Restaurants	056 057	Irrigation; Drainage Judicial and Courtroom Facilities	088E	Recreation Facilities - S		mmunity Cantars			
	ological & Archeological Investigations	058	Laboratories; Medical Research Facilities	0880	Park Support Facilities (					
	ucational Facilities; Classrooms	058A	Laboratories; Commercial	089	Rehabilitation (Buildings					
	ucational Facilities, Classicoms ucational Facilities; Higher Ed	058B	Laboratories; Higher Ed Research Sciences	090	Resource Recovery; Re		ros, r aomacs)			
	ucational Facilities, Figher Ed ucational Facilities; Secondary Ed	058B	Laboratories; Heavy Equipment	090	Radio Frequency System	ns & Shi	eldinas			
	ucational Facilities; Elementary Ed	058C	Laboratories; Pathology, Medical Examiner	092	Rivers; Canals; Waterwa					
	ucational Facilities; Child Day Care	058D	Laboratories; Crime Investigation	093	Safety Engineering; Acc					
	ectronics	059	Landscape Architecture	094	Security Systems; Intrud					
	vators; Escalators; People Movers	060	Libraries; Museums; Galleries	095	Seismic Designs and St					
	ergy Conservation; New Energy Sources	061	Lighting (Interiors; Display; Theatre, Etc.)	096	Sewage Collection, Trea		nd Disposal			
	stainable Design	062	Lighting (Exteriors)	097	Soils & Geologic Studies					
	vironmental Impact Studies,	063	Materials Handling Systems; Conveyors;	098	Solar Energy Utilization					
	sessments or Statements		Sorters	099	Solid Wastes; Incineration		Fill			
	lout Shelters; Blast-Resistant Design	064	Metallurgy	099A						
	ld Houses; Gyms; Stadiums		55							
	e Protection									

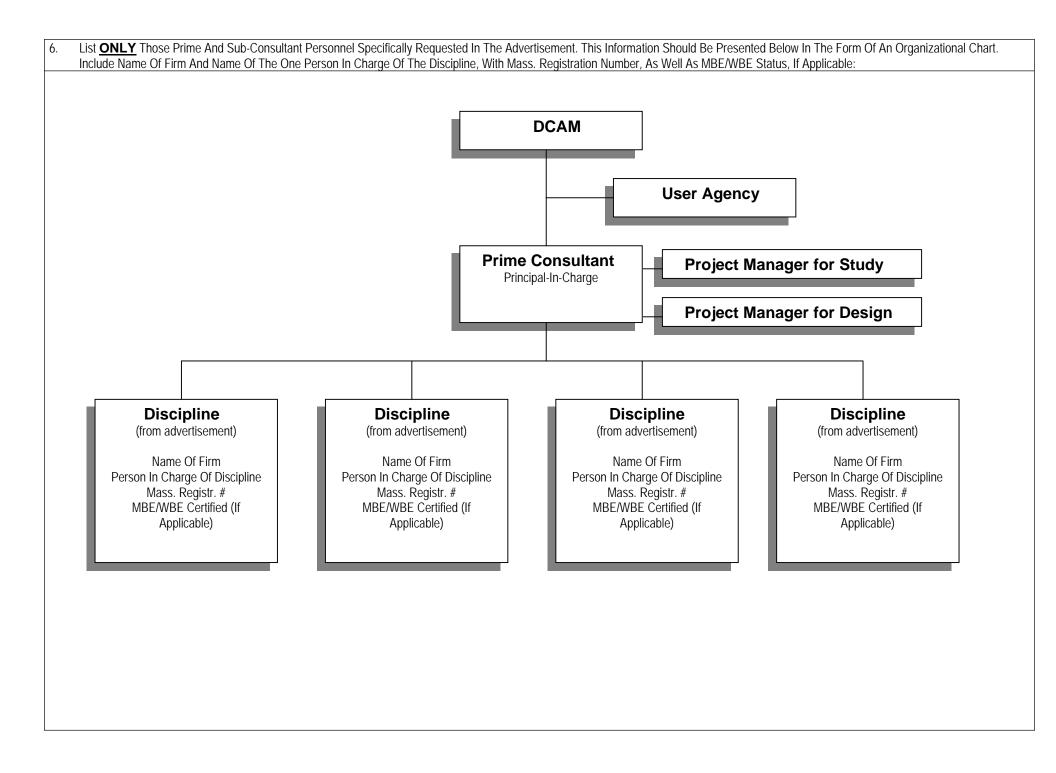
11. P	rofile of Firm's	Project Experier	nce, Last 5 Years						
	Profile Code	No. of Proj		Profile Code	No. of Projects	Total Gross Fees (in thousands)	Profile Cod	e No. of Projects	Total Gross Fees (in thousands)
1. 2. 3. 4. 5. 6. 7. 8. 9.			11. 12. 13. 14. 15. 16. 17. 18. 19.			2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	21. 22. 23. 24. 25. 26. 27. 28.		
12.	List all curre	ent Projects (exce	ept for work for the Commonweal	h) for which Prime A	pplicant is performir	ng or is under contract to	perform any design	n services (add/subtrac	ct rows as needed).
Profile Code	Role P, C, JV	Phases St., Sch., D.D., C.D.,A.C. *	Project Name, Location & Princip	al-in-Charge		er Name & Address (Incl and phone number)	ude Contact	(in the used of	Completion Date (Actual or Estimated) (R)Renovation or (N)New
			1.						
			2.						
			3.						
			4.						
			5.						
			6.						
			7.						

		8.		
		9.		
		10		
		10.		
		11.		
		12.		
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		13.		
		14.		
		15.		
		16.		
		10.		
		17.		
		18.		
		10		
		19.		
		· ·	1	

13.	List all Projec Commonwea	cts completed wi alth (add/subtrac	thin the past 5 years for which Prime Applicant has performed, or hat rows as needed).	s entered into a contract to perform any design se	ervices for all public ag	encies within the
Profile Code	Role P, C, JV	Phases St., Sch., D.D., C.D.,A.C.	Project Name, Location & Principal-in-Charge	Owner Name & Address (Include Contact name and phone number)	Project Cost (in thousands)	Completion Date (Actual or Estimated) (R)Renovation or (N)New
			1.			
			2.			
			3.			
			4.			
			5.			
			6.			
			7.			
			8.			
		ability Insurance ability Policy Cei	rtificate Number Present Policy Expiration Date	Aggregate Am	ount Payable	
15. Se	ertify that all ection 44M, a	information is sund Chapter 30, 9	ubmitted under the penalties of perjury and that I am familiar with the Section 39M. I also certify that the undersigned is an Authorized Sig	Mass. State Building Code and also Mass. Gene natory of the Firm and is a Principal or Officer of t	ral Laws, Chapter 149 the Firm.	, Section 44A-44H,
Su	bmited by (Siç	gnature)	Pı	rinted Name and Title		Date

<sup>\*</sup> P = Principal; C = Consultant; JV = Joint Venture; St. = Study; Sch = Schematic; D.D. = Design Development; C.D. = Construction Documents; A.C. = Administration of Contract

O	Project Name/Location for Which Firm is Filing:		2a. Project #	
Commonwealth of Massachusetts			DSB List #:	Item #:
DSB 2005 Application Form			2b. Mass. State Project #	
3a. Firm (Or Joint-Venture) - Nai	me And Address Of Primary Office To Perform The Work:	3e. Name Of Proposed For Study: (if applical For Design: (if applical	ble)	
3b. Date Present And Predecess	sor Firms Were Established:	3f. Name And Address Item 3a Above:	s Of Other Participating Offices Of The Prim	ne Applicant, If Different From
3c. Federal ID #:		3g. Name And Address	s Of Parent Company, If Any:	
3d. Name And Title Of Principal-	-In-Charge Of The Project (MA Registration Required):			
Email Address: Telephone No:	Fax No.:	(2) SOMWBA Cer	our Firm Is Either: rtified Minority Business Enterprise (MBE) rtified Woman Business Enterprise (WBE) rtified Minority Woman Business Enterprise	(M/WBE)
	ncluded In Question #3a Above By Discipline (List Each Perso tal Number In Each Discipline And, Within Brackets, The Tota			oughout The Preceding 6 Month
Admin. Personnel Architects Acoustical Engrs. Civil Engrs. Code Specialists Construction Inspectors Cost Estimators Drafters	(	Licensed Site Profs. Mechanical Engrs. Planners: Urban./Reg. Specification Writers Structural Engrs. Surveyors	( ) Other ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) (	
5. Has this Joint-Venture previou	usly worked together?	□ No		



7.	Brief Resume Of <b>ONLY</b> Those Prime Applicant And Sub-Consultant Personnel Requested In To <b>ONE</b> Person Per Discipline Requested In The Advertisement. Resumes Should Be Consis Should Be Provided Only As Required For The Number Of Key Personnel Requested In The Ad The Prime Applicant Certifies That The Listed Firm Has Agreed To Work On This Project, Shou	tent W dvertis	With The Persons Listed On The Organizational Chart In Question # 6. Additional Sheets sement And They Must Be In The Format Provided. By Including A Firm As A Sub-Consultant,
a.	Name And Title Within Firm:	a.	Name And Title Within Firm:
b.	Project Assignment:	b.	Project Assignment:
C.	Name And Address Of Office In Which Individual Identified In 7a Resides:  MBE WBE  WBE	C.	Name And Address Of Office In Which Individual Identified In 7a Resides:  MBE WBE  WBE
d.	Years Experience: With This Firm: With Other Firms:	d.	Years Experience: With This Firm: With Other Firms:
e.	Education: Degree(s) /Year/Specialization	e.	Education: Degree(s) /Year/Specialization
f.	Active Registration: Year First Registered/Discipline/Mass Registration Number	f.	Active Registration: Year First Registered/Discipline/Mass Registration Number:
g.	Current Work Assignments And Availability For This Project:	g.	Current Work Assignments And Availability For This Project
h.	Other Experience And Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, If Not Current Firm):	h.	Other Experience And Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, If Not Current Firm):

8a.	Current And Relevant Work By Prime A Up To But Not More Than 5 Projects).	Applicant Or Joint-Venture Members. Include	e <b>ONLY</b> Work Which Best Illustrates Current Qu	alifications In The Ar	eas Listed In The DS	B Advertisement (List	
a.	Project Name And Location	b. Brief Description Of Project And	c. Client's Name, Address And Phone	d. Completion	e. Project Cost (In Thousands)		
	Principal-In-Charge	Services (Include Reference To Areas Of Experience Listed In DSB Advertisement)	Number. Include Name Of Contact Person	Date (Actual Or Estimated)	Construction Costs(Actual, Or Estimated If Not Completed)	Fee For Work For Which Firm Was Responsible.	
(1)							
(2)							
(3)							
(5)							
(4)							
(5)							

8b.	List Current And Relevant Work By Suk Consultant) Lise Additional Sheets On	o-Consultants Which Best Illustrates Curren	nt Qualifications In The Areas Listed In The Adveronsultants Requested In The Advertisement And	tisen	nent (Up To But I	Not More Than 5 Proj Format Provided	ects For Each Sub-			
Sub	Consultant Name:	ny 713 Required For The Namber of Sub-oc	onsultants requested in the navertisement find	incy	Wust be in the	Tomat Frovided.				
a.	Project Name And Location	b. Brief Description Of Project And	c. Client's Name, Address And Phone	d. Completion						
	Principal-In-Charge	Services (Include Reference To Areas Of Experience Listed In DSB Advertisement)	Number (Include Name Of Contact Person)		Date (Actual Or Estimated)	Construction Costs (Actual, Or Estimated If Not Completed)	Fee for Work for Which Firm Was Responsible			
(1)										
(2)										
(3)										
(4)										
(5)										

Role P, C, JV *	Phases St., Sch., D.D., C.D.,A.C. *	Project Name, Location And Principal-In-Charge:	Awarding Authority (Include Contact Name And Phone Number)	Project Cost (In Thousands)	Completion Date (Actual or Estimated (R)Renovation or (N)New
		1.			
		2.			
		3.			
		4.			
		5.			
		6.			
		7.			
		8.			
		9.			
		10.			
		11.			
		12.			

<sup>\*</sup> P = Principal; C = Consultant; JV = Joint Venture; St. = Study; Sch. = Schematic; D.D. = Design Development; C.D. = Construction Documents; C.A. = Construction Administration

10.	If Needed, Up To Thre AREAS OF EXPERIE	e, Double-Sided 8 ½″ NCE REQUESTED IN		heets Will Be Accepted.		of Your Firm And That Of Y QUIRED TO RESPOND S		
11.	Professional Liability Ir	nsurance:						
	Name of Company		Aggregate Amount		Policy Number		Expiration Date	
12.				Or On Your Behalf, As A planation. (Attach Separa		Liability Claims Occurring \	Within The Last 7 Years	And In Excess Of
13.	Name Of Sole Propriet	tor Or Names Of All Fi	rm Partners And Officer	S:				
	Name a. b. c.	Title	MA Reg #	Status/Discipline	Name d. e. f.	Title	MA Reg#	Status/Discipline
14.	If Corporation, Provide Name a. b. c.	Names Of All Member Title	ers Of The Board Of Dire MA Reg #	ectors: Status/Discipline	Name d. e. f.	Title	MA Reg#	Status/Discipline
15.	Names Of All Owners	(Stocks Or Other Owr	ership):					
	Name And Title a. b. c.	% Ownership	MA Reg.#	Status/Discipline	Name And Title d. e. f.	% Ownership	MA Reg.#	Status/Discipline
16.	Section 38A1/2 of the	General Laws, or that	the services required ar	re limited to construction i	management or the prep	certify that this firm is a "D paration of master plans, s pains and penalties of per	tudies, surveys, soil test	
	Submitted By (Signature)				Printed Name And Titl	e		Date

DSB 2005 S-CA	Commonwealth of Massachusetts Designer Selection Board 2005 SUB-CONSULTANT ACKNOWLEDGMENT
Project:	
Applicant Designer:	
Sub-consultant:	
SUB-CONSULTANT	CKNOWLEDGMENT
	med above hereby certifies that it has been notified by the Applicant Designer that it has been nomina pplicant Designer's team for the above Project, which is under consideration at the Designer Selection Boa
Signature of Sub-Co	sultant Duly Authorized Representative
Signature of Sub-Co	sultant Duly Authorized Representative
	sultant Duly Authorized Representative

It is a requirement that all applicants supply this document signed, attached to the application, for each of the listed sub-consultants stating that they are aware and agree to being nominated by said applicant designer. One copy must have an original signature.

DSB 2005 Sub-Consultant Form

# COMMONWEALTH OF MASSACHUSETTS DESIGNER SELECTION BOARD PROJECT CRITERIA

DSB LIS	ST #	06-12	_ ITEM# _	01	_ DSB PUBLIC NOTICE DAT	ΓΕ <u>August 16, 2006</u>			
LAST D	AT	E FOR FILING AI	PPLICATION	IS:	September 6, 2006	at 2:00 PM			
The Boa	The Board recommends applications to be submitted by any of the following firms:								
(	X X	) Architect	t t/Engineer (A/E	E)	( X ) Eng ( ) Othe	ineer er:			
PROJEC	T N	UMBER:		2006-01	2				
PROJEC	ТТ	ITLE:		Study, I	Design and Implementation of V	Various Demolition Projects			
PROJEC	ΤL	OCATION:		Various	Locations within the State of M	<b>Massachusetts</b>			
APPROF	PRIA	ATION SOURCE:		Annual	Agency Budget – FY07, FY08,	FY09			
AVAILABLE AMOUNT:				\$2,000,000.00					
ESTIMA	ΛΤΕΙ	D CONSTRUCTIO	N COST:	N/A					
TOTAL	FE	E, excluding reimbu	ırsables, based	on scopes	of work and services authorized,	shall not exceed:			
<b>X</b>	)	Lump sum establis	hed set fee per	C.7, §38G	(a) <b>1,00</b>	<b>0,000</b> Dollars			
IMMED X	) )	T <b>E SERVICES AU</b> CERTIFIABLE BU		DY					
<b>X</b>	)	SCHEMATIC PLA	ANS AND OUT	TLINE SP	ECIFICATIONS				
<b>X</b>	)	DESIGN DEVELO	OPMENT PLAI	NS AND S	SPECIFICATIONS				
<b>X</b>	)	CONSTRUCTION	PLANS AND	SPECIFIC	CATIONS				
<b>X</b>	)	ADMINISTRATIO	ON OF CONST	RUCTIO	N/DEMOLITION CONTRACT				
(	)	OTHER							

## MBE/WBE PARTICIPATION:

MassDevelopment requests minimum goals of 8% MBE participation and 4% WBE participation for the combined value of the study and final design contracts for this project. Applications from MBE and WBE firms as prime consultant are encouraged.

N.B.1:MassDevelopment may award up to 2 contracts to qualified designers under this contract.N.B.2:This contract will be a "house doctor" contract. Multiple projects of the type described in the General Scope of Work may be assigned, and fee increments approved, up to the total value of the advertised lump sum fee.N.B.3:This contract is limited to projects with an estimated construction cost of \$1,000,000 or less, as per M.G.L. C. 7 \$40B, as amended by C. 159 \$15 of the Acts of 2000 and \$22 of the Acts of 2002.

DSB LIST # 06-12 ITEM # 01 DSB PUBLIC NOTICE DATE August 16, 2006

## **APPROPRIATION LANGUAGE:**

Annual Appropriation of Massachusetts Development Finance Agency's Board of Directors.

#### GENERAL SCOPE OF WORK:

Massachusetts Development Finance Agency (MassDevelopment) acts as a redevelopment Agency on many projects throughout the State. Many redevelopment projects include the demolition of various structures composed of building materials that range from wood to block to metal buildings with some buildings consisting of a combination of building materials. Some buildings may have been used as residential units, warehouses, power plants, laundries, hospitals, and other building types. Due to the age of many of the buildings, the likelihood of asbestos, lead paint, and other contaminants could be present. The scope of demolition activities will include incidental and accessory work around the building structures, associated utilities, and items such as paving, trees, walks, etc. The consultant must perform a review of all historical documentation available including research at MADEP offices in preparation of demolition plans and specifications. Knowledge of federal, state and local laws regarding solid waste and recycling is required. Portions of these projects may contain civil/site work to construct/reconstruct and/or relocate roadways or utilities and wetland permitting, Massachusetts Historical Commission permitting and other related permits.

### GENERAL CONDITIONS FOR THIS CONTRACT:

Contract

The applicant agrees to execute MassDevelopment's Designer Services Contract.

### Procedures

The designer will follow the procedures established in DCAM's Designer Procedures Manual dated June 2005 (http://www.mass.gov/cam/dlforms/DPMD\_2005\_06.doc). Applicants are urged to review and become familiar with the following supplemental material, which is available on the web at: (http://www.mass.gov/cam/DSB/index.html).

## Construction Specifications

The designer shall utilize the new DCAM Standard Specification provided at the contract signing.

#### Cost Estimating

Cost estimates, cost models, and estimator participation in both the study and the design phases will meet the requirements of the current DCAM *Cost Estimating Manual* and will be submitted in Uniformat II in the study phase and in both Uniformat II to Level 3 and CSI Masterformat in the design phase. The *Cost Estimating Manual* can be found at <a href="http://www.mass.gov/cam/dlforms/CEM\_Feb06.pdf">http://www.mass.gov/cam/dlforms/CEM\_Feb06.pdf</a>, and Uniformat II can be found at <a href="http://www.bfrl.nist.gov/oae/publications/nistirs/6389.pdf">http://www.bfrl.nist.gov/oae/publications/nistirs/6389.pdf</a>.

### CONDITIONS FOR APPLICATION:

The applicant's current or updated Master File Brochure must be on file with the Board prior to the date of application. As a condition of application, each applicant, if selected for the new project, agrees to carry professional liability insurance in an amount equal to 10% of the estimated construction cost of this project in accordance the standard designer's contract, i.e., minimum coverage of \$1,000,000 depending on the construction cost. The Agency may seek additional coverage for the selected designer, and if so will bear the cost of the additional coverage.

# APPLICATIONS WILL BE EVALUATED BASED ON THE FOLLOWING PRIME AND SUB CONSULTANT PERSONNEL AND EXTENT OF COMPLIANCE WITH MBE/WBE PARTICIPATION GOALS. PLEASE ALSO SEE QUESTION #6 ON DSB APPLICATION 2005.

- 1. Architect
- 2. Licensed Site Professional
- 3. Certified Asbestos Inspector, Designer, Monitor
- 4. Structural Engineer
- 5. Mechanical Engineer (HVAC/Plumbing/Fire Protection/Elevators)
- 6. Certified Industrial Hygienist
- 7. Civil Engineer
- 8. Demolition Cost Estimator
- 9. Demolition Specifications Writer

If the Applicant plans to fulfill any of the other sub-consultant roles, so indicate on the organizational chart. Project Managers for Study and Final Design should be listed separately.

APPLICATIONS WILL BE EVALUATED BASED UPON THE REQUIREMENTS OF M.G.L. Ch. 7 §38F AND WORK LISTED ON DSB APPLICATION 2005 SECTIONS 8, 9 AND 10 WHICH ILLUSTRATES CURRENT QUALIFICATIONS IN THE FOLLOWING AREAS:

- 1. Building Demolition Review and Design
- 3. Environmental Remediation Review, Inspection and Closeout Reporting
- 2. Building Demolition Contract Administration
- 4. Preparation of Demolition Specifications

# APPLICANTS PLEASE NOTE

A copy of the most current Application Form and Instructions - **DSB 2005 Application** Form is included with this Notice, and is available for download at <a href="http://www.mass.gov/cam/forms/fi">http://www.mass.gov/cam/forms/fi</a> dselectboard.html.

Only complete applications submitted on the **DSB2005 Application Form** will be considered by the Designer Selection Board. Applications that are incomplete or submitted on a form other than **DSB2005**, may be rejected as non-compliant and may not be considered by the Board.

Applications received at the DSB Office after the advertised deadline will not be considered.

# COMMONWEALTH OF MASSACHUSETTS DESIGNER SELECTION BOARD PROJECT CRITERIA

DSB PUBLIC NOTICE DATE

August 16, 2006

02

										_		
LA	ST	DA	TE	FOR 1	FILING APPLICATION	N IS:	Septen	nber 6, 2	2006	at 2:00 l	PM	
Th	e Bo	oar	d re	comm	ends applications to be s	ubmitted by a	ny of the follo	owing fi	rms:			
	(		X X	)	Architect Architect/Engineer (A/	E)	(	)	Engineer Other:			
PR	.OJE	ECT	'NU	JMBEI	₹:	DEP0501 I	DC1					
PR	.OJE	ECT	TI'	TLE:		Senator W Expansion	m. X. Wall Ex	xperime	nt Station R	enovation	and	
PROJECT LOCATION:				CATIO	ON:	37 Shattuc	37 Shattuck St., Lawrence					
AP	PPRO	ЭPF	RIA	TION S	SOURCE:		2000: 2200-79 -8001and DE		236 of 2002:	: 2200-2010	6; Ch. 123 of	
ΑV	/AII	LAI	BLE	E AMO	UNT:	\$16.3m						
ES	TIM	ΙΑΊ	ED	CONS	STRUCTION COST:	\$10.8m						
aut *S	hori ee p	zed age	if <sub>1</sub>	project f this N	ding reimbursables or any is completed.  Notice for final fee determine C.7, §38G(a).	_			_			
(	X	)		ımp Su: 8G(a)	m Established Set Fee for	Final Design I	Phase Per M.G	.L. C.7,	\$980	,000	Dollars	
IM (	IME X	DI.			VICES AUTHORIZED: ATIC PLANS AND OUTI		ICATIONS					
(	X	)	DI	ESIGN	DEVELOPMENT PLAN	S AND SPEC	IFICATIONS					
(	X	)	CO	ONSTR	RUCTION PLANS AND S	SPECIFICATI	ONS					
(	X	)	Al	OMINI	STRATION OF CONSTR	RUCTION CO	NTRACT					
(		)	O	ΓHER:								

# MBE/WBE PARTICIPATION:

DSB LIST #

06-12

ITEM#

In accordance with Executive Order #390, DCAM has established minimum goals of 8% MBE participation and 4% WBE participation for the combined value of the study and final design contracts for this project. MBE/WBE goal **must** be met within the list of requested prime and sub-consultants. All applicants must indicate how they intend to meet these goals and will be evaluated on that basis. Further information about the program appears on pages 6-10. Applications from MBE and WBE firms as prime consultant are encouraged .

DSB LIST # U0-12 TTEM # U2 DSB PUBIC NOTICE Date August 16, 2006	DSB LIST #	06-12	ITEM#	02	DSB Public Notice Date	August 16, 2006	
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# **N.B.:**

All applications received on or after 30 June 2005, where the designers are selected by the Designer Selection Board, shall be submitted on the form entitled Commonwealth of Massachusetts DSB 2005 Application Form as issued by the DSB or said application shall be rejected as being non-responsive. Prime applicant is responsible for all consultants using latest forms. Refer to DSB homepage to download current application forms at <a href="http://www.mass.gov/cam/forms/fi">http://www.mass.gov/cam/forms/fi</a> dselectboard.html.

## **APPROPRIATION LANGUAGE:**

Ch. 238 of 2000, 2200-7991: For the modernization of the Senator William X. Wall experiment station in the city of Lawrence, including, but not limited to the repair and rehabilitation of buildings and grounds; Ch. 236 of 2002, 2200-2016: For the modernization of facilities and infrastructure of the department of environmental protection including but not limited to the repair and rehabilitation of buildings and grounds. Ch. 123 of 2006, 1100-8001: provided that \$7,000,000 shall be expended for the renovation of the Senator William X. Wall Experiment Station...

## **GENERAL SCOPE OF WORK:**

All phases of design for the renovation and expansion of the Senator William X. Wall Experiment Station, located at 37 Shattuck St. in Lawrence. The study referenced below is the basis of design.

- The Wall Experiment Station (WES) is the principal laboratory for the Department of Environmental Protection (DEP). The lab analyses environmental samples of various types and certifies water testing labs in the Commonwealth. The 22,000 SF building contains Organic and Inorganic Chemistry labs, Micro-biology labs, lab certification functions and the Air Assessment Branch which records air sampling data. The building houses over 50 staff.
- The current facility was constructed in 1953 as a water quality testing lab. It began at another location in Lawrence in 1887 and was a pioneer facility in testing sewage treatment and drinking water. The facility is a National Historic Civil Engineering Landmark (based on its historic function), although the existing building is not on the State or National Register of Historic Places.
- The scope of work will involve the full renovation of the existing building and the development of a 10,000 SF addition which will house lab functions and a small ancillary storage facility. The current distribution of activities will be reorganized to separate office and lab areas. The project also addresses existing safety, code, accessibility, HVAC, energy management, and other deficiencies in the existing facility.
- The project is proposed to begin with the construction of the new lab space in order to keep those functions operating. Upon completion of the addition, lab functions will be relocated there and the existing building will be fully renovated. Non-lab functions are proposed to be relocated out of the existing building during construction.
- The building site is constrained by major utility easements, by proximity to the Merrimack River, and by neighboring residences. There may be some potential for parking expansion, but building construction is limited to areas adjacent to the existing building. The site is in poor condition and will require detailed investigation, attention to pedestrian and vehicle access and circulation, and to planning low impact drainage systems and other environmental and utility requirements. Renovation of the building will require removal of asbestos containing materials and possibly other hazardous materials.
- A study of the feasibility of installing Photo Voltaics (PV's) on the existing building has been completed for the Mass Dept. of Energy Resources. This work and other sustainable design opportunities should be reviewed and addressed by the Designer with every effort made to achieve DCAM and DEP sustainable design goals.

The scope of work for this project is defined in the certified study listed below, which is available for inspection at the Designer Selection Board, Room 1008, McCormack State Office Building, One Ashburton Place, Boston, MA 02108. Mass. State Project No. DEP0501 HS1: STUDY FOR WALL EXPERIMENT STATION, Nov 8, 2005 with ADDENDUM Feb 9, 2006, by Perkins + Will

PhotoVoltaic Feasibility Report for the William X. Wall Experiment Station prepared for Mass. Division of Energy Resources by Timeless Technologies, 2006.

### GENERAL CONDITIONS FOR THIS CONTRACT:

Contract

The applicant agrees to execute *DCAM Form C-2 Contract for Designer's Services*, or its successor, without revisions or modifications.

### DCAM Procedures:

The designer will follow the procedures established in DCAM's Designer Procedures Manual dated June 2005 (http://www.mass.gov/cam/dlforms/DPMD\_2005\_06.doc). Applicants are urged to review and become familiar with the following supplemental material, which is available on the web at: (http://www.mass.gov/cam/DSB/index.html).

## Construction Specifications

The designer shall utilize the new DCAM Standard Specification provided at the contract signing.

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### **PMAS**

Consultants will be required to use DCAM's electronic web-based Project Management and Accounting System (PMAS) as a repository for all project correspondence, documentation, and project budgeting, and scheduling. No special software is required.

### **Workshops**

DCAM and the Designer will hold periodic workshops to ensure that critical issues are not overlooked and that all team members have an opportunity to contribute their expertise, to anticipate potential obstacles, to identify potential solutions, and to expedite the decision-making process. Attendance by key design team members will be required at all workshops.

### Sustainable Design

DCAM has set a goal of LEED Silver (<a href="http://www.usgbc.org/">http://www.usgbc.org/</a>) for this project. The consultant will include in the final study an analysis of the potential LEED Silver Certification for the renovation option, modernization or new construction, per C. 164 §331 of the Act of 1997 and DCAM's "Sustainable Design Building Guide." This analysis, including detailed cost estimates, will identify and recommend energy efficient alternatives and the use of resources efficient materials for consideration as part of the final design. Any and all of these alternatives may be incorporated as part of the final design and will be considered as part of the base fee. However, if DCAM determines that LEED certification will be pursued, the certification process will be considered an extra service in the design and construction phase of the project.

### Universal Design

In addition to complying 521 CMR, The Rules and Regulations of the Architectural Access Board (http://www.mass.gov/aab/aab\_regs.htm), the consultant will review ADA Title II (http://www.usdoj.gov/crt/ada/reg2.html), and the ADA Accessibility Guidelines (http://www.usdoj.gov/crt/ada/adastd94.html), to ensure that the proposed design meets the civil right intent of this act. The requirements of these two laws may differ and the consultant must comply with the more stringent. Design solutions will meet the diverse and changing needs of users across age, ability, language, ethnicity and economic circumstance. DCAM welcomes innovative design strategies that are simultaneously equitable, flexible and legible for all and extend beyond minimal compliance with accessibility regulations.

## Environmental and other supplemental services

DCAM reserves the right to obtain supplemental services through independent consultants who will collaborate with the prime and the project team.

#### Cost Estimating

Cost estimates will be presented in Uniformat II in the study phase and in both Uniformat II to Level 3 and CSI Masterformat in the design phase. Uniformat II can be found at

http://www.bfrl.nist.gov/oae/publications/nistirs/6389.pdf. Elemental construction cost estimates will be developed in Uniformat II through Design Development and used for review and scope or design adjustments at each major workshop. The Cost Estimator is expected to prepare for and participate in these workshops. Estimates will be compared against costs estimated in the Study phase, and against historical costs captured in DCAM's cost database. Life cycle cost evaluations will be used as a tool at key points in design to evaluate decisions on the various materials and systems proposed.

### **Building Commissioning**

DCAM may include building commissioning as part of this project. An operations and maintenance plan will be produced as a reimbursable expense during the building commissioning phase. The Designer will meet with DCAM's building commissioning agent during design and construction to evaluate design proposals for mechanical systems to ensure maintainability and operational efficiency.

## CONDITIONS FOR APPLICATION:

The applicant's current or updated Master File Brochure must be on file with the Board prior to the date of application. As a condition of application, each applicant, if selected for the new project, agrees to carry professional liability insurance in an amount equal to 10% of the estimated construction cost of this project in accordance the standard designer's contract, i.e., minimum coverage of \$250,000 up to \$1,000,000 depending on the construction cost. The Agency may seek additional coverage for the selected designer, and if so will bear the cost of the additional coverage.

PEF	RSONNEL AND EXTENT OF COMPLIANCE V	WITH:	MBE/WBE PARTICIPATION GOALS. PLEASE ALSO
SEE	QUESTION #6 ON DSB APPLICATION 2005.		
1.	Architect	6.	Landscape Architect
2.	Civil Engineer	7.	Environmental permit specialist: site and building
3.	Mechanical Engineer (HVAC/Plumbing/Fire	8.	Professional LEED Accredited Expert
	Protection/Elevators)		•
4.	Electrical Engineer	9.	Specifications Writer (independent consultant required)
5.	Structural Engineer	10.	Cost Estimator (independent consultant required)
	•	11.	Certified Asbestos Consultant (designer, monitor, and
			inspector)

APPLICATIONS WILL BE EVALUATED BASED ON THE FOLLOWING PRIME AND SUB CONSULTANT

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Where an "independent consultant" is required the Applicant may not provide the services "in house." If the Applicant plans to fulfill any of the other sub-consultant roles, so indicate on the organizational chart. Project Managers for Study and Final Design should be listed separately.

APPLICATIONS WILL BE EVALUATED BASED UPON THE REQUIREMENTS OF M.G.L. Ch. 7 §38F AND WORK LISTED ON DSB APPLICATION 2005 SECTIONS 8, 9 AND 10 WHICH ILLUSTRATES CURRENT QUALIFICATIONS IN THE FOLLOWING AREAS:

1.	Design of wet laboratories	6.
2.	Design for renovation and expansion of	7.
	occupied lab facilities	
3.	Site design and permitting	8.
4.	Sustainable design	9.

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DSB LIST #

## APPLICANTS PLEASE NOTE

A copy of the most current Application Form and Instructions - **DSB 2005 Application** Form is included with this Notice, and is available for download at <a href="http://www.mass.gov/cam/forms/fi\_dselectboard.html">http://www.mass.gov/cam/forms/fi\_dselectboard.html</a>.

Only complete applications submitted on the **DSB2005 Application Form** will be considered by the Designer Selection Board. Applications that are incomplete or submitted on a form other than **DSB2005**, may be rejected as non-compliant and may not be considered by the Board.

Applications received at the DSB Office after the advertised deadline will not be considered.